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w/ order

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5/15/02

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
HARRISBURG, PA

YUDAYA NANYONGA,  
Plaintiff

v.

COUNTY OF YORK, et al.,  
Defendants

:  
: CIVIL ACTION  
: NO. 1: CV-00-1034  
: MAY 14 2002  
: MARY E. D'ANDREA, CLERK  
: Per PJB  
:  
: (JUDGE WILLIAM W. CALDWELL) ✓  
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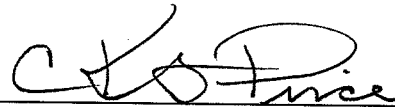
**DEFENDANTS' MOTION TO DISMISS**

1. On **April 17, 2002** this Honorable Court issued an Order granting the motion of Gary A. Cavalli, Esquire to be relieved as counsel for Plaintiff in this matter.
2. The aforesaid Order also directed Plaintiff, or her new counsel, to communicate with the undersigned counsel for the Defendants within 15 days to make arrangements for Plaintiff to appear for a deposition within 10 days thereafter.
3. Despite the passage of more than 15 days since the issuance of the aforesaid Order, neither Plaintiff or new counsel for Plaintiff has communicated or attempted to communicate with the undersigned to make arrangements for the Plaintiff's deposition or for any other reason.
4. The aforesaid Order specifically provided that if the Plaintiff failed to comply with the directions as set forth above in Paragraph 2, the case would be dismissed with prejudice upon application of the Defendants.

5. In accordance with the aforesaid Order, Plaintiff's former counsel, Gary A. Cavalli, Esquire, mailed a copy thereof to the Plaintiff by certified and regular mail on or about **April 22, 2002**. Copies of the letter of transmittal and the U.S. Postal Service Certified Mail Receipt card are attached hereto as Exhibit "A".
6. In accordance with the aforesaid Order, the Clerk of Court mailed a copy thereof to the Plaintiff, c/o Joy Mayanja, 586 Punce Street, Hillside, New Jersey, by certified and regular mail on **April 17, 2002**.
7. This is the second occasion that the Plaintiff has failed to comply with an Order of this Court regarding her deposition.

WHEREFORE, the Defendants respectfully request that this Honorable Court dismiss Plaintiff's action with prejudice for failing to comply with the Order of April 17, 2002.

THOMAS, THOMAS & HAFER, LLP

A handwritten signature in black ink, appearing to read "C. Kent Price", is written over a horizontal line.

C. Kent Price, Esquire  
305 North Front Street  
P.O. Box 999  
Harrisburg, PA. 17108  
(717) 255-7632

ATTORNEYS FOR DEFENDANTS

A

## Pope, Bergrin & Verdesco, P.A.

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E-mail: [popefirm@aol.com](mailto:popefirm@aol.com)

OF COUNSEL:  
Sheldon Bross  
Maurice R. Strickland  
1931 - 1998

April 22, 2002

**VIA CERTIFIED MAIL RRR**  
**AND REGULAR MAIL**

Yudaya Nanyonga  
c/o Joy Mayanja  
586 Purce Street  
Hillside, NJ 07205

Re: **Nanyonga v. York**  
**Civil Action No. 1:CV-00-1034**

Dear Yudaya:

Enclosed herewith please find a copy of an Order with regard to the above matter. Please be advised that this firm has been relieved as your counsel regarding your case. Upon receipt of same please contact the Mr. Kent Price, Esq. of the law office of Thomas, Thomas & Hafer, located in Harrisburg, PA he can be reached at (727) 255-7632, within ten days of receipt of this letter to arrange for your deposition. If you fail to do so within the ten (10) days of receipt of same, your case will be dismissed with prejudice.

Thank you for your immediate attention to this matter.

Very truly yours,  
POPE, BERGRIN & VERDESCO, P.A.

By:   
GARY CAVALLI, ESQ.

GAC:wf  
Encls.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To: YUDENIA NAYONGBA

Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Name (Please Print Clearly; to be completed by mailer)  
YUDENIA NAYONGBA

Street, Apt. No., or P.O. Box No.  
P.O. Box 586 Prince

City, State, ZIP+4<sup>®</sup>  
Hillside NJ 07033

PS Form 3800, July 1999 See Reverse for Instructions

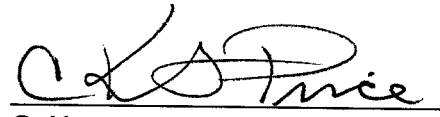
7099 3400 0001 2316 7031

CERTIFICATE OF SERVICE

AND NOW, this 14<sup>th</sup> day of May, 2002, the undersigned does hereby certify that he has this day served a copy of the within Defendants' Motion to Dismiss upon each of the following persons at the addresses set forth below by depositing same in the United States Mail, regular mail, postage prepaid:

Yudaya Nanyonga  
c/o Joy Mayanja  
586 Punce Street  
Hillside, NJ 07205

Thomas, Thomas & Hafer, LLP

  
C. Kent Price, Esquire